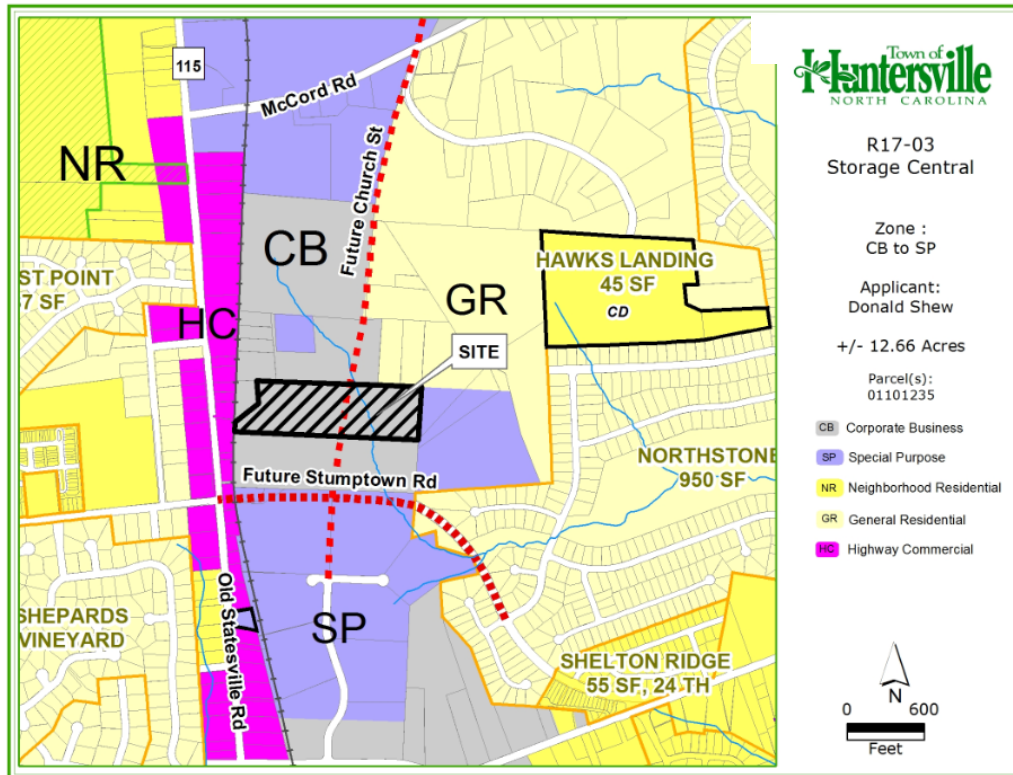


Petition R17-03: Storage Central General Rezoning

PART 1: PROJECT SUMMARY

Application Summary:

1. Donald and Vicki Shew have applied to generally rezone 12.66 acres from Corporate Business (CB) to Special Purpose (SP) at 15746 Old Statesville Road (Parcel #01101235) in order to accommodate the operation and expansion of the Storage Central facility.



Applicant: Don and Vickie Shew

Property Owner:
Same

Property Address:
15746 Old Statesville Road

Project Size: 12.66 acres

Parcel Numbers:
01101235

Existing Zoning:
Corporate Business (CB)

Proposed Zoning:
Special Purpose (SP)

2. Adjoining Zoning and Land Uses

North: Corporate Business (CB), Single Family Residential Homes

South: Corporate Business (CB), Single Family Residential: Special Purpose (SP) North Char Business Park.

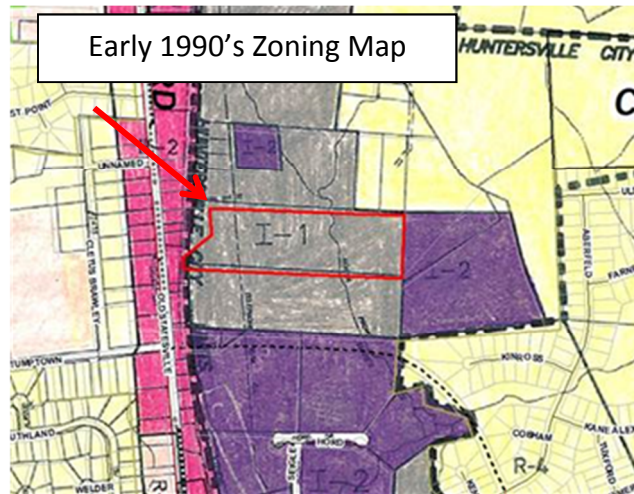
East: Special Purpose (SP), Industrial, Soil Supply Inc.

West: Highway Commercial (HC), Retail and Office: Corporate Business (CB), Single Family Residential.

3. The applicant is proposing a general rezoning and not a conditional district rezoning. Therefore the application does not have a site plan or any conditions associated with the request. If approved, all uses allowed in the Special Purpose (SP) district will be permitted as described in the ordinance.
4. The subject property in question has been zoned Corporate Business (CB) since 1996 when the Town of Huntersville adopted an updated Zoning Ordinance and Map. Before that time, the property was zoned "I-1" under the old 1991 Huntersville Zoning Ordinance which was a similar light industrial zoning district to the current CB. See the old 1990's zoning map below on page 2.
5. The outdoor storage of vehicles as a principle use was not permitted in the I-1 district nor is it an allowed use in the current Corporate Business (CB) zone.
6. The Storage Central RV/Boat storage business began operation on the property in the mid-1990s. Per discussion with the applicant, they did know that permitting was required. Throughout the years, the business operated

and expanded with no permits obtained. Last year staff received a complaint that the business was expanding with no permits and staff investigated and found that to be the case.

7. Staff met with the applicant and discussed the need to rezone the property and come up to current Huntersville Zoning Code to the extent practical. This includes rezoning the property, proper screening of adjacent properties, and installation of appropriate water quality devices for storm water control. This application is the first step to bring the property into compliance.



Storage Central Expansion

1998 (Google Earth)



2005 (Google Earth)



2012 (Google Earth)



2017 (Polaris)



8. Notifications to adjacent property owners were sent out by way of first class mail and a notification sign erected on the site per state statute. No neighborhood meeting is required for a general rezoning.

PART 2: REZONING/SITE PLAN ISSUES

- Since this is a general rezoning, there are no site specific issues with this rezoning application as there is no site plan attached to the request. If the application is approved, the applicant will need to submit a commercial site

plan showing plans for storm water improvements, landscaping, etc.

PART 3: TRANSPORTATION ISSUES

- Since a general rezoning is proposed, there are no transportation issues with changing one zoning district to another. However the following information is from Transportation Planning concerning transportation related items of the site in question:
 - Both the CRTPO and the North Carolina Board of Transportation have adopted the Comprehensive Transportation Plan which constitutes 4 separate maps for different modes of travel.
 - The “highway map” of the CTP replaces the Thoroughfare Plan and contains the “Church Street Extension” as a minor thoroughfare through this property.
 - This is a general rezoning thus although we can (and should) request that the landowner respect the alignment for Church St Ext, there is no basis for requesting dedication of r/w or construction.
 - Between 2000 and 2003, a joint effort of NC DOT’s Rail Division, Norfolk-Southern, CATS, MUMPO, Charlotte, Huntersville, Cornelius, Davidson, and Mooresville produced a Traffic Separation Study for the Norfolk-Southern O line to provide policy guidance for rail crossing protections along the line. The Town endorsed this study on July 19, 2004 and pledged its efforts to implement the safety recommendations. (see attached resolution)
 - Virtually all private (not public road) crossings along the N-S O line are recommended for closure under this policy document. Public crossings would have additional safety enhancements (gates, lights, etc) to improve safety of the remaining crossings.
 - The private rail crossing known to N-S as 721 735Y at Milepost 0-16.1 which serves this tract of land is recommended for closure in this approved study. Alternative access must be provided to the property as part of this closure. See attached plan sheet from the 2004 study.
 - The Town’s adopted Capital Improvement Program proposes the construction of the Stumptown Road Extension in current fy 2018.
 - The Town Engineering Department has begun negotiations with Norfolk Southern for permitting of the new Stumptown Road crossing and has proposed the closure of this private crossing and several others as part of the negotiations. A new access to the property will occur from the extension of Stumptown Road. Precise details of the alternative access have not yet been developed and will be developed in consultation with the landowners as part of the Stumptown Road project.
 - The Town Board and the land owner should be aware of the changes to access to this tract which appear to be in the foreseeable future. It is mutually beneficial for these to occur. The changes will be positive for several reasons:
 - The new property access, through a connection to the Stumptown Road Extension, will allow the crossing of the Norfolk-Southern O line in a safe, protected fashion and intersects NC 115 at a signalized intersection.
 - The current property access crosses land owned by others in order to get to NC 115. The new access will provide fully documented access to the property, facilitating easier redevelopment when the landowner chooses.
 - The extension of Stumptown Road to the currently constructed segment leading to Ramah Church Rd will allow easier access to the property from customers located to the east of the tract.
 - Ultimately, the northern extension of Church Street through the eastern portion of this property will avail it of public street frontage which should lead to enhanced development opportunities to the landowner.

PART 4: REZONING CRITERIA

Article 11.4.7(d) of the Zoning Ordinance states that “in considering any petition to reclassify property, the Planning Board in its recommendation and the Town Board in its decision shall take into consideration any identified relevant adopted land-use plans for the area including, but not limited to, comprehensive plans, strategic plans, district plans, area plans, neighborhood plans, corridor plans, and other land-use policy documents”.

STAFF COMMENT – Staff finds the proposed use consistent with the following policies of the 2030 Huntersville Community Plan:

- **Policy CD-2: Focus higher intensity development generally within 2 miles of the I-77 and NC 115 corridor.** The property in question is located immediately east of the NC 115 Corridor.

Article 11 Section 11.4.7(e) of the Zoning Ordinance states that: “in considering any petition to reclassify property the Planning Board in its recommendation and the Town Board in its decision should consider:

1. **Whether the proposed reclassification is consistent with the overall character of existing development in the immediate vicinity of the subject property.**

STAFF COMMENT:

The rezoning of the property to Special Purpose (SP) would be intensifying the property from a light industrial zone (CB), to a heavy industrial zone. Such intensification would be consistent with the overall character of existing adjacent development. There exists SP zoning immediately to the east where the Soil Supply business currently operates as well as toward the south at the NorthChar business park (Seigle Street). Other areas adjacent to the property are zoned Corporate Business (CB). In addition, the SP use of outdoor vehicle storage has been currently in operation for 22 years. Therefore the SP zone would be consistent with how the property is currently being used.

2. **The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, transit service, parks and recreational facilities, police and fire protection, hospitals and medical services, schools, storm water drainage systems, water supplies, and wastewater and refuse disposal.**

STAFF COMMENT:

There are no public facility concerns for a general rezoning application. Any traffic impact or public facility needs will be reviewed during the subsequent commercial site plan review for any proposed development.

3. **Whether the proposed reclassification will adversely affect a known archeological, environmental, historical or cultural resource.”**

STAFF COMMENT:

Planning staff has no indication that the request will adversely affect known archeological, environmental resources.

PART 5: PUBLIC HEARING

The Public Hearing was held on July 17, 2017. No one from the public spoke for or against the application.

PART 6: STAFF RECOMMENDATION

Staff recommends approval of the rezoning application as the SP district is consistent with adjacent development and will allow the existing Storage Central business to bring their site up to current zoning code.

PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board reviewed the application at their July 25, 2017 meeting. No one from the public spoke for or against the application. Much of the discussion by the Board and staff centered on the uses permitted in the Special Purpose (SP) district which would be allowed if the rezoning was approved. There was a concern that some of the uses allowed may not be appropriate for adjacent properties. However, many of the uses that had the most effect on adjacent properties would also require a Special Use Permit for approval even if the property was rezoned to SP. After further discussion, the Planning Board recommended approval by a 7-2 vote.

PART 8: CONSISTENCY STATEMENT – R17-03: STORAGE CENTRAL GENERAL REZONING

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed rezoning of Petition R17-03, Storage Central General Rezoning, Planning Staff finds that the rezoning is consistent with Policy CD-2 of the Town of Huntersville 2030 Community Plan. Staff recommends rezoning the property from Corporate Business (CB) to Special Purpose (SP). It is reasonable and in the public interest to rezone this property because the SP district will be consistent with adjacent zoning districts and will accommodate the current use of the property.	APPROVAL: In considering the proposed rezoning of Petition R17-03, Storage Central General Rezoning, the Planning Board finds that the rezoning is consistent with the Town of Huntersville 2030 Community Plan and recommends the rezoning of the property from Corporate Business (CB) to Special Purpose (SP). It is reasonable and in the public interest to rezone this property because the SP district will be consistent with surrounding property zoning and will accommodate the current use of the property.	APPROVAL: In considering the proposed rezoning of Petition R17-03 Storage Central General Rezoning, the Town Board finds that the rezoning is consistent with the Town of Huntersville 2030 Community Plan and other applicable long range plans. The Town Board recommends rezoning the property from Corporate Business (CB) to Special Purpose (SP). It is reasonable and in the public interest to rezone this property because...(explain)
DENIAL: N/A	DENIAL: N/A	DENIAL: In considering the proposed rezoning of Petition R17-03, Storage Central General Rezoning, the Town Board finds that the rezoning is not consistent with the Town of Huntersville 2030 Community Plan and other applicable long range plans. We recommend denial of Rezoning Petition R17-03. It is not reasonable and not in the public interest to rezone this property because..... (Explain)